

COMBINED DECLARATION AND POWER OF ATTORNEY

As below named inventor, I hereby declare that

This declaration is of the following type:

- ☐ original ☐ design ☐ supplemental
☐ national stage of PCT ☒ Reissue of U.S. Patent 5,660,946
☐ divisional ☐ continuation ☐ continuation-in-part

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (*if only one name is listed below*) or an original, first, and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SEALED LEAD-ACID CELLS AND BATTERIES HAVING AN
EXPANDABLE COVER

the specification of which:

- ☒ is attached hereto.
☐ was filed on _____ as Serial No. _____ and was amended on _____ (*if applicable*).
☐ was filed by Express Mail No. _____ as Serial No. not known yet, and was amended on _____ (*if applicable*).
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____ (*if any*).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

COUNTRY	APPLICATION	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119			
				YES		NO
				YES		NO
				YES		NO
				YES		NO

I hereby claim the benefit pursuant to Title 35, United States Code, § 119(e) of the following United States provisional application(s):

PRIOR U.S. PROVISIONAL APPLICATIONS CLAIMING THE BENEFIT UNDER 35 USC 119(e)	
APPLICATION NO.	DATE OF FILING

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120					
U.S. APPLICATIONS			Status (check one)		
U.S. APPLICATIONS	U.S. FILING DATE		PATENTED	PENDING	ABANDONED
1. 0 /					
2. 0 /					
3. 0 /					
PCT APPLICATIONS DESIGNATING THE U.S.			Status (check one)		
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)	PATENTED	PENDING	ABANDONED
4.					
5.					
6.					

DETAILS OF FOREIGN APPLICATIONS FROM WHICH PRIORITY CLAIMED UNDER 35 USC 119 FOR ABOVE LISTED U.S./PCT APPLICATIONS				
ABOVE APPLN. NO.	COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, yr)	DATE OF ISSUE (day, month, yr)
1.				
2.				
3.				
4.				
5.				
6.				

As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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Berton Scott Sheppard, Reg. 20922
James B. Muskai, Reg. 22797
Dennis R. Schlemmer, Reg. 24703
Gordon R. Coons, Reg. 20821
John E. Rosenquist, Reg. 26356
John W. Kozak, Reg. 25117
Charles S. Oslakovic, Reg. 27583
Mark E. Phelps, Reg. 28461
H. Michael Hartmann, Reg. 28423
Bruce M. Gagala, Reg. 28844
Charles H. Mottier, Reg. 30874
John Kilyk, Jr., Reg. 30763
Robert F. Green, Reg. 27555
John B. Conklin, Reg. 30369
James D. Zalewa, Reg. 27848
John M. Belz, Reg. 30359
Brett A. Hesterberg, Reg. 31837
Jeffrey A. Wyand, Reg. 29458

Paul J. Korniczky, Reg. 32849
Pamela J. Ruschau, Reg. 34242
Steven P. Petersen, Reg. 32927
John M. Augustyn, Reg. 33589
Christopher T. Griffith, Reg. 33392
Wesley O. Mueller, Reg. 33976
Jeremy M. Jay, Reg. 33587
Jeffrey B. Burgan, Reg. 35463
Eley O. Thompson, Reg. 36035
Mark Joy, Reg. 35562
Allen E. Hoover, Reg. 37354
David M. Airan, Reg. 38811
Michael H. Tobias, Reg. 32948
Xavier Pillai, Reg. 39799
Y. Kurt Chang, Reg. 41397
Gregory C. Bays, Reg. 40505
Carol Larcher, Reg. 35243

Steven H. Sklar, Reg. 42154
M. Daniel Hefner, Reg. 41826
Thomas A. Belush, Reg. 37090
Kenneth P. Spina, Reg. 43927
Gary R. Jarosik, Reg. 35906
Song Zhu, Reg. 44420
Joseph S. Ostroff, Reg. 39321
Jeffery J. Makeever, Reg. 37390
Salim A. Hasan, Reg. 38175
Richard A. Wulff, Reg. 42238
Jamison E. Lynch, Reg. 41168
Rattan Nath, Reg. 43827
Robert M. Gould, Reg. 43642
David J. Schodin, Reg. 41294
Paul L. Ahern, Reg. 17020
Theodore W. Anderson, Reg. 17035
Noel I. Smith, Reg. 18698

I further direct that correspondence concerning this application be directed to LEYDIG, VOIT & MAYER, LTD., Two Prudential Plaza, Suite 4900, 180 North Stetson, Chicago, Illinois 60601-6780, Telephone (312) 616-5600.

The undersigned inventors believe the original patent, U.S. Patent No. 5,660,946, to be partially inoperative by reason of claiming less than the undersigned had a right to claim. At least one error is now apparent to the applicants. With respect to the originally issued claims 1-9, these claims specify a seal lead-acid cell which includes an expandable cover area surrounding at least the terminal opening for the positive terminal, and a particularized terminal-cover sealing assembly arrangement. It is the belief of the undersigned that the present invention encompasses a sealed lead-acid cell comprising an expandable cover area, rather than only a sealed lead-acid cell comprising an expandable cover area and a particularized sealing arrangement. This error was made without any deceptive intent on the part of the applicants and was discovered only recently, during a review of the patent claims after the issuance of the patent. To rectify this error, the original independent claim 1 has been recast as independent claim 10 and added to the present application. The applicants have also included dependent claims 11-17 which more precisely define and describe the structure of the expandable cover area.

I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: WILLIAM H. KUMP

Inventor's signature *William H. Kump*

Date 7-30-99

Country of Citizenship: United States of America

Residence: 21 Dorset Road, St. Paul, Minneapolis 55118

Post Office Address: 21 Dorset Road, St. Paul, Minneapolis 55118

Full name of second joint inventor, if any: DEBORAH HUKE

Inventor's signature *Deborah S. Huke*

Date 8/14/99

Country of Citizenship: United States of America

Residence: ~~16827 Willow Lane, Prior Lake, Minnesota 55372~~ 15114 HWY 61 BLVD, WELCH MN 55089

Post Office Address: ~~16827 Willow Lane, Prior Lake, Minnesota 55372~~ PO BOX 152, WELCH MN 55089

Full name of **third joint inventor**, if any: EDWARD MATTAN

Inventor's signature Edward Mattan

Date 8/18/99

Country of Citizenship: United States of America

Residence: 1726 Howard Street, St. Charles, Illinois 60174

Post Office Address: 1726 Howard Street, St. Charles, Illinois 60174

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